



September 10, 2009

10.13.15
HB4170(FRANZ)

The Honorable Arnold Schwarzenegger
Governor of California
Legislative Unit: Aaron Maguire
State Capitol Building, First Floor
Sacramento, CA 95814

RE: SB 285; Wright. Disability benefits: attachment.

POSITION: Support

Dear Governor Schwarzenegger:

The California Alliance for Families & Children (CAFC) is please to announce our strong support for SB 285 and its intent to uphold existing federal law United States Code, Title 38, Section 5301 to protect a disabled veteran's compensation from being unlawfully seized and attached.

The California Alliance for Families and Children (CAFC) is a gender-neutral 501(c)(3) organization based in Sacramento, CA. We are dedicated to ensuring that children and family policies provide equal and fair treatment to all affected parties: men, women and children alike, regardless of their ethnic background, religion or sexual orientation. CAFC is an education and advocacy group with experts in the field of family law; attorneys and members of law enforcement; mental and medical health practitioners; financial and economic specialists; media and policy consultants and advocates.

CAFC has also led the nation on other reforms affecting Armed Forces Veterans that began right here in California with SB 1082 (2005) Morrow/Ducheney. This bill provided for timely and fair child support modifications for reservist and National Guard members, and child custody orders modification protection. California led and now 29 states have followed. Changes have also been made at the federal level by amending the Service Members Civil Relief Act (SCRA). SB 285 will also be another display of California taking the lead once again by assuring our veterans fair treatment in our courts.

Veterans' Disability Compensation should not to be confused, as it often is, with Military Retirement Pay. United States Code, Title 38, Section 5301 veterans' disability compensation applies the very same absolute anti-attachment provisions that also apply to a disabled person on SSDI or SSI. SB 285 will substantially help to clarify this for our states courts. SB 285 will not only assure that our courts uphold the federal protection, it will also help to reduce unnecessary and painful litigation cost for disabled vets and we believe it will also reduce court calendar time for these cases resulting in savings to the state.

In closing, CAFC wants to express our heartfelt appreciation and gratitude for Senator Rod Wright's unwavering willingness to stand up for our nations disabled veterans' rights by clarifying United States Code, Title 38, Section 5301 in California's Codes of Civil Procedure. SB 285 will go a long way to ending some of the disparities in law that have been negatively affecting disabled veterans in California.

We want to thank you in advance for your support and we look forward to your signing of this very important bill.

Respectfully Submitted,

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